

REMARKS

Notice of Non-compliant Amendment

Examiner Cardone issued a Notice of Non-Compliant mailed August 21, 2006. While the Examiner did not indicate exactly why he believed Applicant's amendment was non-compliant, Applicant assumes the Examiner did not approve of the use the claim identifier "previously amended". Applicant kindly directs Examiner Cardone's attention to the attached Official Gazette Notice which officially withdraws the rigid requirements set forth by 37 CFR 121(c). Office policy as of July 5, 2005 dictates that the Office may now accept the use of the identifier "previously amended" in place of "previously presented." In interest of moving the application forward, Applicant has changed the claim identifiers to match the stringent requirements of 37 CFR 121 (c) to expedite prosecution. Applicant now submits that all claim identifiers conform with 37 CFR 121(c), and that the current Amendment is fully compliant.

35 USC 112 2nd Paragraph: Claim 24

Applicant has amended claim 24 to correct the typographical error identified by the Examiner.

35 USC 102(b): CLAIMS 1-8, 10, 12, 14-26, 28, 31-44

The Examiner rejected Claims 1-10, 12, 14-28, and 31-44 under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,742,769 (Lee et al.) "Lee '769". Claims 1, 5, 8, 10, 26, and 28 are currently amended. More specifically, Claim 1 as amended recites, *inter alia*, the relationship between an old address and a new address of a changer. Claim 5 as amended

recites, *inter alia*, that an IP address and a URL can be an option of the old address and the new address. Support for this amendment can be found on page 12, lines 22-27 of the Specification. Claim 8 has been amended to include the subject matter of Claim 9. Claim 9 is canceled. Claim 26 has been amended to include the subject matter of Claim 27. Claim 27 is canceled. Claims 10 and 28 have been amended to depend on Claims 8 and 26 respectively.

Regarding Claim 1, the address inquiry system recited in Claim 1 requires that a changer has changed his or her old address to a new one. The system of Claim 1 includes a database relationally storing at least the old address, the new address, and an address disclosing condition capable of setting a condition whereby the changer judges whether to give permission to disclose the new address based on attribute information about the inquirer. The new address and the address disclosing condition from the database is searched from the database when the inquirer sends an inquiry including the old address. The system then makes the changer confirm whether the new address is disclosed when the address disclosing condition in searching includes the set condition. The system informs the inquirer of the new address when the changer permits the disclosure of the new address.

Lee '769 discloses a directory service system that allows a user to receive email messages from senders without requiring the user to reveal his or her email address. However, Lee '769 does not disclose a database that relationally stores the old address and the new address of the user. Further, Lee '769 does not disclose that a new address is searched and presented to an inquirer on a certain condition as recited in the present invention of Claim 1.

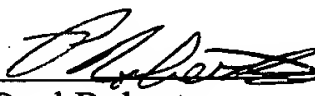
Similarly, Claims 8 and 26 as amended incorporate an old address of a registrant that is not disclosed in the Lee reference. Claims 8 and 26 are patentable for at least this reason. Claims 2-7 and 42 incorporate all the limitations of Claim 1 and are patentable for at least the

same reasons as Claim 1. Claims 10, 12, 14-25, and 43 incorporate all the limitations of Claim 8 and are patentable for at least the same reasons as Claim 8. Claims 28, 31-41, and 44 incorporate all the limitations of Claim 26 and are patentable for at least the same reasons as Claim 26.

CONCLUSION

In view of the foregoing amendment and remarks, it is believed that the claims in this application are now in condition for allowance. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,
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Acceptance of Certain
Non-Compliant Amendments
Under 37 CFR 1.121(c)

Effective immediately, the Office is waiving certain requirements set forth in 37 CFR 1.121(c) and may accept non-compliant amendments under 37 CFR 1.121(c) where the non-compliance is limited to: 1) the inclusion of text of a canceled claim, or a not entered claim, and 2) use of certain variations of status identifiers in a claim listing. The Office revised the amendment practice set forth in 37 CFR 1.121 in a final rule that became effective July 30, 2003. See Changes to Implement Electronic Maintenance of Official Patent Application Records, 68 Fed. Reg. 38611 (June 30, 2003), 1272 Off. Gaz. Pat. Office 197 (July 29, 2003). Although the revised amendment practice has been in effect for over 18 months, the Office is still receiving an unexpectedly high number of non-compliant amendments. Correction of the non-compliant items causes extra work for applicants, examiners and the Office's Technical Support Staff, delays prosecution and increases pendency of applications. Upon review, the Office has determined that some of the requirements of 37 CFR 1.121 are not essential and that waiver of certain provisions of 37 CFR 1.121 will still allow an examiner to clearly understand exactly what amendments have been made in an Image File Wrapper application. The Office will propose changes to 37 CFR 1.121 consistent with this notice in a rule making in due course.

37 CFR 1.121(c)(4)(i) provides that no claim text shall be presented for any claim in the claim listing with the status identifier "canceled" or "not entered." Claims that are indicated as "canceled" or "not entered" are not pending in the application and such text will be disregarded by the Office. Therefore, the Office hereby waives the provision of 37 CFR 1.121(c)(4)(i) that no claim text shall be presented for "canceled" or "not entered" claims. Accordingly, the Office will accept amendments that include the text of a canceled claim, or a not entered claim, if the amendment otherwise complies with 37 CFR 1.121, including use of the proper status identifier "canceled" or "not entered," respectively. Even though the Office will accept an amendment that includes the text of a canceled claim, or a not entered claim, applicants should comply with 37 CFR 1.121(c)(4)(i) by not providing the text of a canceled claim or a not entered claim.

37 CFR 1.121(c) provides that, in the complete claim listing of all claims ever presented, the status of every claim must be indicated after its claim number by using one of the following identifiers in parentheses: Original, Currently amended, Canceled, Withdrawn, Withdrawn-currently amended, Previously presented, New, and Not entered. Many applicants continue to use status identifiers that are not provided for in 37 CFR 1.121(c). The Office wants to reduce the burden on both the applicants and the Office and avoid delays in processing that result from holding an amendment non-compliant when the only non-compliance is the use of certain status identifiers that are not provided in 37 CFR 1.121(c) and which are determined to be clear and accurate by the Office. Therefore, the Office hereby waives the provision in 37 CFR 1.121(c) that the status of the claims must be indicated by one of the status identifiers listed in 37 CFR 1.121(c) to the extent permitted in this notice.

The Office will accept claim listings that include the alternative status identifiers set forth in the following table if the amendment otherwise complies with 37 CFR 1.121.

Table of status identifiers set forth in 37 CFR 1.121(c) and acceptable alternatives

Status Identifiers Set Forth in 37 CFR 1.121(c)	Acceptable Alternatives
1. Original	Original Claim; and Originally Filed Claim
2. Currently amended	Presently amended; and Currently amended claim
3. Canceled	Canceled without prejudice; Cancel; Cancelled; Canceled herein; Previously cancelled; Canceled claim; and Deleted
4. Withdrawn	Withdrawn from consideration; Withdrawn - new; Withdrawn claim; and Withdrawn-currently amended (see note below)
5. Previously presented	Previously amended; Previously added; Previously submitted; and Previously presented claim
6. New	Newly added; and New claim
7. Not entered	Not entered claim

Note: 37 CFR 1.121(c) sets forth that "Withdrawn - currently amended" is an acceptable variation of the status identifier "Withdrawn" for a withdrawn claim that is currently amended.

Additionally, the Office may also accept other variations of the status identifiers provided in 37 CFR 1.121(c) when the examiner determines that the status identifier used by applicant clearly and accurately designates the status of the claim.

Applicants should make every effort to comply with all of the requirements of 37 CFR 1.121, such as the use of the status identifiers provided in 37 CFR 1.121(c) in a complete claim listing, to reduce processing delays. The Office may continue to refuse to accept an amendment that does not otherwise comply with 37 CFR 1.121 or includes a status identifier which, in the opinion of the examiner, fails to clearly and accurately designate the status of a claim.

Inquiries concerning this memorandum may be directed to Elizabeth Dougherty or Eugenia Jones, Senior Legal Advisors in the Office of Patent Legal Administration, at (571) 272-7703 or PatentPractice@uspto.gov.

June 6, 2005

JOSEPH J. ROLLA
Deputy Commissioner for

Patent Examination Policy